

AUG 21 2003

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON
U.S. COURT OF APPEALS**

ASAN EDIGEMOVICH KADIROV,

Petitioner,

v.

IMMIGRATION AND NATURALIZATION
SERVICE; JOHN ASHCROFT, Attorney
General of the United States,

Respondents.

No. 01-71612

BIA No. A77-820-691

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Argued and Submitted December 5, 2002
San Francisco, California
Submission Vacated December 23, 2002
Resubmitted May 30, 2003

Before: COWEN,** HAWKINS, and W. FLETCHER, Circuit Judges.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

** Honorable Robert E. Cowen, Senior United States Circuit Judge for the Third Circuit Court of Appeals, sitting by designation.

The determination of the Board of Immigration Appeals (“BIA”) that Petitioner Asan Edigemovich Kadirov (“Kadirov”) lacked credibility on an issue going to the heart of his asylum claim (whether and under what circumstances Kadirov was assaulted by Uzbekistani nationals) is sufficiently supported by the record, as is the BIA’s determination that Kadirov’s employment difficulties did not rise to the level of persecution.

PETITION FOR REVIEW DENIED.